

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: BRYAN, Vincent et al.                      Examiner: PHILOGENE, Pedro  
Serial No. 09/924,298                                      Group Art Unit: 3733  
Filed: August 8, 2001                                      Customer No.: 62644  
Title: IMPLANTABLE JOINT PROSTHESIS

**RESPONSE TO RESTRICTION REQUIREMENT  
SUBMITTED UNDER 35 USC §121**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

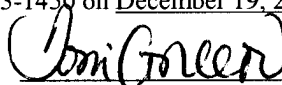
Sir:

This response is submitted further to the Restriction Requirement mailed on December 5, 2008 in connection with the above-identified application.

---

CERTIFICATE OF TRANSMISSION 37 C.F.R. §1.8(a)

I hereby certify that this correspondence (and any document referred to as being attached or enclosed) is being transmitted via the United States Patent and Trademark Office electronic filing system to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 19, 2008.

  
**Toni Greer**

In the Office Action mailed December 5, 2008, a restriction to one of the following species is required under 35 U.S.C. §121:

FIGS 1-7 relating to claims 3, 9-17, 23-40, 43-44, 66-71, 75-76, 86-89, 91-92.

FIGS. 8-9 relating to claims 56-61.

FIGS. 10-11 relating to claims 114-119.

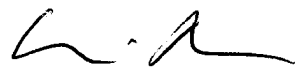
Applicants elect to pursue Figures 1-7 and claims relating thereto.

Applicants respectfully request timely examination of this application. The Examiner is invited to contact the undersigned attorney by telephone if there are any questions about this Response.

Please provide any extensions of time that may be necessary, and charge any fees that may be due to Deposit Account No. 132546, but do not include payment of issue fee that are or may become due.

Respectfully submitted,

Date 12/18/08

By:   
William R. Richter, 43,879  
Medtronic  
2600 Sofamor Danek Drive  
Memphis, TN 38132  
901-396-3133